

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ARIF DURRANI,

Petitioner,

S.A. HOLENCIK, LARRY ALAN BURNS,  
ALBERTO GONZALEZ, Attorney  
General,

CASE NO. 07CV1249-LAB (NLS)

**ORDER GRANTING REQUEST  
TO WITHDRAW PETITION**

[Dkt No. 5, 7]

Respondents.

On July 10, 2007, petitioner Arif Durrani ("Durrani"), proceeding *pro se*, filed a Petition for Writ of Habeas Corpus ("Petition") purportedly pursuant to 28 U.S.C. § 2241, alleging "illegal detention." The court construed the Petition as seeking 28 U.S.C. § 2255 relief, notified Durrani in an Order entered October 9, 2007 of its intent to recharacterize his filing as a Section 2255 motion, and provided him with the explanation, notice, and admonitions required by Castro v. United States, 540 U.S. 375, 382 (2003). Dkt No. 5. The court gave Durrani the options to withdraw the Petition, to file an Amended Petition, or to proceed with the Petition recharacterized as a Section 2255 motion. Durrani's timely response to the Order instructs the Petition be withdrawn. Dkt No. 7. The request is **GRANTED**. Accordingly, the Clerk of Court shall terminate this action in its entirety, without prejudice.

**IT IS SO ORDERED.**

DATED: November 2, 2007

Larry A. Burns

HONORABLE LARRY ALAN Burns  
United States District Judge